

In re Patent Application of: ROY
Serial No. 10/780,258
Filing Date: February 17, 2004
Attorney Docket No. 11783-US-PAT (80238)

REMARKS

Claims 1, 3, 5-15, 18-27, 29, and 31-37 remain in this application. Claims 2, 4, 16, 17, 28, and 30 have been previously cancelled. Claims 1, 15 and 27 have been amended.

Applicant thanks the Examiner for the detailed study of the application and prior art.

The Examiner objected to the independent claims because certain claim language is allegedly not supported by the specification, i.e., according to the Examiner, it is unclear about the "default order" as applied to the n-most recent mail headers. The Examiner also objects to the term "most recent" in the clause after "the n-most recent." This has been corrected to have consistency using n-most recent in both cases.

Also, the Examiner objected that there is no support for the limitation "if the default order of mail headers cannot be provided" and argues that Applicant misinterpreted what FIG. 2 discloses. Paragraph 33 of the instant application explains FIG. 2. Each of the independent claims is amended to recite that the n-most recent mail headers of electronic messages to the mail user agent are provided in a default order provided by an electronic mail protocol used for accessing an electronic mailbox when a protocol used for accessing the electronic mailbox specifies a default message list order, as noted in paragraph 33

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of the instant application. Claims also are amended such that when the protocol does not specify the default message list order, then providing the n-most recent mail headers in an order based on associative information about an electronic mail provider and/or electronic mailbox to be accessed, and when associative information cannot be used, then downloading all message headers.

The Examiner in this Office Action applies the previously cited U.S. Patent No. 5,958,066 to Eggleston et al. (hereinafter "Eggleston") in view of newly cited U.S. Patent Publication No. 2006/0235945 to Frietas. He also maintains the rejection in combination with the previously cited Lewis.

Eggleston has been previously addressed in detail in previous responses. The Examiner admits that Eggleston does not disclose that a mobile office platform is operative for providing only the n-most recent mail headers of electronic messages to the mail user agent in a default order of mail headers provided by an electronic mail protocol used for accessing an electronic mailbox. In that part of the rejection, the Examiner does not address the use of associative information and when associative information cannot be used, then downloading all message headers.

For the teaching of n-most recent mail headers, the Examiner applies Frietas, which is directed to overcoming the

technical problem of software architecture data models as noted in its Background of the Invention section in paragraph 6, where an access protocol is required for wireless devices that use low bandwidth, high latency and facilitate access to complex and dense remote servers on demand in real-time. This technical problem is solved using a software module that detects a type of wireless device and routes a request from the wireless device application to the server through the software module. It uses a mailbox manager as indicated in paragraphs 110-113 in which a default view screen contains a list of headers for the five most recently received messages and provides the user with the option of viewing messages, browsing through the list of headers, searching for a mail message, and refreshing the screen to display headers for newly received messages (paragraph 113). From this default view screen 160, the user browses through the list of message headers in the mailbox by selecting an option to view "more." The user is then provided with a list of the next five message headers.

Although Frietas is directed to sending and viewing a limited number of message headers, there is nothing in Frietas to provide the n-most recent mail headers in an order based on associative information about electronic mail providers and/or

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the electronic mailbox to be accessed, and when associative information cannot be used, then downloading all mail headers.

The Examiner argues that the system of the claimed subject matter stops when the n-most recent mail headers are downloaded, and thus there is no need to use associative information. This is an incorrect interpretation of the claims and as now presented. The claims define a three-step process in which the n-most recent mail headers of electronic messages to the mail user agent are provided in a default order when the protocol used for accessing the electronic mailbox specifies the default message list order, and when that protocol does not specify that default message list order, then the n-most recent mail headers are provided in an order based on associative information, and when associative information cannot be used, then downloading all message headers.

Frietas, on the other hand, is directed to a one-step process of downloading five message headers and then downloading five more message headers. The claimed subject matter presented in this Amendment is a three-step process as indicated above.

Additionally, Eggleston is directed to downloading entire messages and not the mail headers as in the claimed subject matter.

The claimed system and method downloads the n-most recent mail headers, as compared to Eggleston, which downloads entire messages. In Eggleston, if the messages cannot be downloaded because they do not meet a filtering criteria, such as message size, date or other criteria, those messages are truncated as shown in FIG. 6 of Eggleston (shown below):

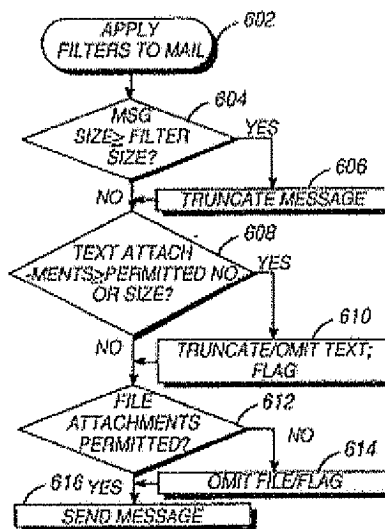


FIG. 6

Eggleston is substantially different from the claimed subject matter, which downloads only mail headers, as compared to the system in Eggleston, which downloads entire messages and truncates a message if that message does not meet a filtering criteria as explained in detail below. Eggleston solves the

technical problem associated when sessions are circuit switched into a mail server or local area network (LAN) because of the high per-minute session charges imposed by a wireless service provider. In the session-oriented or session-less communication of Eggleston (Background section), it is desirable to limit the amount of information communicated between a remote user and host to save off-site user time and limit costs arising from more expensive rates for remote communication. There is a concern to optimize the types and amounts of data being transferred when lack of effective techniques occur from monitoring and controlling an aggregate use of tariffed networks (column 2 of Eggleston). This is solved in Eggleston by its filtering system that allows all messages to pass as a first step unless certain filtering criteria are not met. If the filter cannot pass larger messages based on some date, those messages are truncated to save bandwidth or cost. The Eggleston communication server includes a controller 229 having a virtual system manager (VSM) that operates the filter (column 5, line 42), which retains all filter rejected mail and transmits mail that can pass through the filters (column 3, line 10). Thus, only desired data transfers that meet user defined filter specifications are communicated over expensive networks. In Eggleston, either the entire message is passed or no part of the message is passed.

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This is not the claimed system and method in which only mail headers are passed. The entire message is not passed as clearly explained throughout the description and as claimed because only the message headers are passed. Eggleston, on the other hand, passes entire messages in a first step unless those messages are filtered while the claimed system and method passes only mail headers and only the n-most recent mail headers in its first step.

Eggleston explains these filter attributes (Column 8) in which some messages that fail the author or subject filter criteria are passed with header information by setting all rejected messages to be passed with a text truncation size. The filter attributes are still in existence and entire messages are still passed, except those messages that are very large. For example, larger messages having attachments are truncated since they did not pass the filter attributes. As a result, a message header is sent instead of an attachment. In the claimed system and method on the other hand, the n-most recent mail headers of electronic messages to the mail user agent are passed, as compared to Eggleston, which passes the entire message if it meets a filter criteria but truncates messages (which could include the message header). Eggleston explains this with reference to the flowchart in FIG. 6 (shown above) that describes

the pre-stage filtering for email filtering. It is first determined whether the entire message can be passed by meeting filtering criteria, and if it can, then it is passed. If it is too large, then it could be truncated such as with large text attachments. This is explained in columns 9 and 10, starting at line 60 in column 9, and continuing through line 9 in column 10 as explained below:

"FIGS. 5 and 6 illustrate two approaches to prestage filtering particularly useful for email filtering. In FIG. 5, a series of five reject filters are applied to each message. If a mail message does not meet any of the criteria (priority, date, size, author, or subject/key word) then it is left unprocessed (steps 502-516). Once all unreviewed messages (i.e., all unprocessed messages, or if expanded marking is available all unprocessed messages not previously filtered) have been filtered, those not rejected are forwarded (step 518). FIG. 6 illustrates the application of granularity filters. If a message exceeds the filter size, it is appropriately truncated (including insertion of a note indicating truncation) (steps 602-606). Similarly, if there are text or file attachments, and these are marked to be filtered, they are stripped with, optionally, a note being inserted alerting the addressee that the attachment was stripped (steps 608-614). Once filtered, the message is sent (step 616)."

Eggleston makes a partial transfer of data if the entire message cannot be downloaded, which is accomplished by

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parsing, including the message header. Even with parsing some messages, other messages below the limit size pass through the filter and an entire message is passed at the same time. In the claimed system and method, only the n-most recent mail headers are passed when a protocol used for accessing the electronic mailbox specifies a default message list order, and when the protocol does not specify the default message list order, then providing n-most recent mail headers in an order based on associative information and if that cannot be used, then downloading all mail headers. This provides a virtual mailbox that is confined to a moving window within the user's mailbox and is changed depending on what the system and method can accomplish. Eggleston nowhere addresses this problem and nowhere discloses anything to perform this three-step process and system as claimed.

As to Frietas, one skilled in the art would not be motivated to take the software architecture of Frietas that downloads message headers and combine it with the Eggleston system, which downloads entire messages. Eggleston and Frietas are substantially different from each other and directed to solving substantially different problems.

As to the combination of Eggleston, Frietas and Lewis, one skilled in the art would not be motivated to combine

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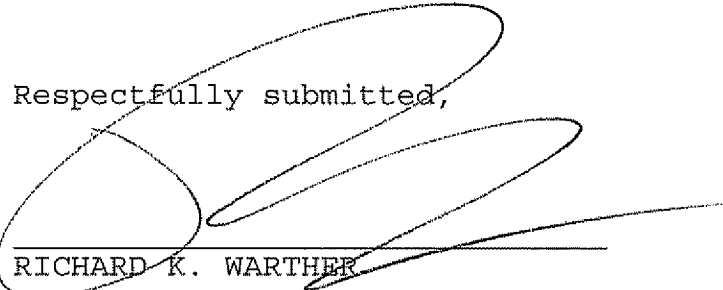
Eggleston and Frietas, which is directed to limiting costs in sessionless or similar communications, and Frietas with the electronic mail notification system of Lewis, which is directed to notifying a subscriber of new email messages located at a post office using a proxy email client. Lewis uses information from a file containing subscriber's information to access the subscriber's email account at the post office and retrieves a portion of the email message from the subscriber's account. Lewis sends an email notification to the subscriber for alerting the subscriber of the email message at the post office as explained in its Summary of the Invention section. FIG. 2 in Lewis is an embodiment of a format for storing a unique email identification record 60 for tracking each email message and states that a user ID 62 can be used with a checksum 64 that is computed from email message headers. Another field includes the ISP domain name 66 of an individual post office. This field is used to reduce the chance of matching checksums and could include a message identification mail header 68 and post office message date 70.

It is readily apparent that one skilled in the art would not be motivated to take these disparate teachings of Eggleston, Frietas and Lewis and combine them to form the claimed system and method as now presented in this Amendment.

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Applicant contends that the present case is in condition for allowance and respectfully requests that the Examiner mail a Notice of Allowance and Issue Fee Due. If the Examiner has any questions or suggestions for placing this case in condition for allowance, the undersigned attorney would appreciate a telephone call.

Respectfully submitted,



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